



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2/9
MSH
In re application of

Docket No: Q66130

Dorron LEVY, et al.

Appln. No.: 09/996,789

Group Art Unit: 2857

Confirmation No.: 4578

Examiner: Hal D. Wachsman

Filed: November 30, 2001

For: FAILURE PREDICTION APPARATUS AND METHOD

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

MAIL STOP NON-FEE AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated May 28, 2003, please consider the remarks submitted herewith.

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REMARKS

The Examiner has required Applicant under 35 USC §121 to elect a single disclosed species for prosecution in this case. Specifically, the Examiner states that the present claims are directed to seven patentably distinct species, namely:

- I. The species best illustrated by claims 2, 17, 18, 21, 36 and 37.
- II. The species best illustrated by claims 3-6 and 22-25.
- III. The species best illustrated by claims 7 and 26.
- IV. The species best illustrated by claims 8 and 27.
- V. The species best illustrated by claims 9 and 28.

VI. The species best illustrated by claims 10, 11, 29 and 30.

VII. The species best illustrated by claims 12-16 and 31-35.

In response to the Examiner's requirement, Applicant elects, without traverse, the species of Group I, claims 2, 17, 18, 21, 36 and 37 for examination. Applicant notes that at least claims 1, 19, 20 and 38-40 are generic to all species, including Group I.

Applicant submits that if any of the elected claims are found to be allowable, claims dependent therefrom should be similarly considered allowable in the same application.

Applicant reserves the right to file Divisional Applications directed to species II-VII.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



William H. Mandir
Registration No. 32,156

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

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Date: June 30, 2003